

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL SAN AGUSTIN,
Plaintiff,

No. C 08-4660 PJH (PR)

ORDER OF DISMISSAL

v.

A. K. SCRIBNER, Warden; A.
QUINONES, Institutional Gang
Investigator,

Defendants.

This is a civil rights case filed pro se by a state prisoner. Defendants' unopposed motion to dismiss for failure to state a claim was granted. The complaint was dismissed with leave to amend within thirty days of the date the order was entered, March 17, 2010.

Plaintiff has not amended and the time to do so has expired. This case therefore is **DISMISSED** with prejudice. The clerk shall close the file.

IT IS SO ORDERED.

Dated: May 4, 2010.



PHYLLIS J. HAMILTON
United States District Judge